

ANALYSIS

This ordinance extends Interim Ordinance No. 2012-0028U for a maximum period of 10 months and 15 days to July 15, 2013. Interim Ordinance No. 2012-0028U, adopted on July 17, 2012, temporarily regulates the use of all horse boarding and equestrian facilities on parcels located within the areas governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford to the east; and Figueroa to the west.

This extension ordinance is an urgency measure which requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption.

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By


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TDS:ss

Requested: 07-27-12

Revised: 07-31-12

ORDINANCE NO. _____

An ordinance extending Interim Ordinance No. 2012-0028U, temporarily regulating the use of all horse boarding and equestrian facilities on parcels located within the area governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west, declaring the urgency thereof, and that this ordinance will take effect on August 31, 2012.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Interim Prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors having held a public hearing, hereby extends Interim Ordinance No. 2012-0028U to July 15, 2013. Interim Ordinance No. 2012-0028U provided, and this extension similarly provides, that no new horse boarding and/or equestrian use shall be established or developed, and no existing horse boarding and/or equestrian use shall undergo any additional development or construction activity, during the duration of the respective ordinance. This interim prohibition shall not prevent any existing horse boarding and/or equestrian use from undergoing any demolition activity of existing facilities or structures, provided such demolition activity is carried out pursuant to a lawfully-issued demolition permit.

SECTION 2. Adoption and Expiration of Initial Interim Ordinance;

Authority.

Interim Ordinance No. 2012-0028U was adopted on July 17, 2012. Unless this ordinance takes effect on or before August 31, 2012, Interim Ordinance No. 2012-0028U will expire. California Government Code section 65858 provides that any urgency measure in the form of an initial interim ordinance may be adopted without following the procedures otherwise required prior to adoption of a zoning ordinance, by a four-fifths vote of the Board of Supervisors, which shall be effective for only 45 days following its adoption. Government Code section 65858 further provides that such an urgency measure may be extended, following compliance with that section, for an additional 10 months and 15 days beyond the original 45-day period, and it can be extended a second time for an additional year.

SECTION 3. Definitions and Penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to the interpretation and to violations of the provisions of this interim ordinance.

SECTION 4. Zoning Study Initiated, Determination of Immediate Threat.

The Los Angeles County Department of Regional Planning ("Regional Planning") has commenced a comprehensive zoning study to review all properties and zones in the affected CSD area where horse boarding and equestrian uses are currently authorized under Title 22 of the County Code to consider a possible permanent zoning

ordinance amendment. The Regional Planning zoning study will review the applicable regulations and/or development standards in the CSD area that apply to new and/or existing horse boarding and equestrian uses to, among other things, assess: (a) the need, based on parcel size, to limit the number of horses allowed, and the number of horse stalls developed and maintained for these uses; (b) the sufficiency of existing infrastructure on and around the subject properties to ensure that these uses have, among other things, adequate facilities for animal waste disposal and proper drainage and water run-off; (c) the adequacy of fly, vermin, and pest controls or regulations for these uses; (d) whether, and to what extent, the existing uses comply with the County's applicable building, plumbing, electrical, and fire codes; and (e) the need to establish adequate parking, setback, and landscaping requirements for these uses. The affected CSD area has recently contained, and on certain properties currently contains, several substandard horse boarding and equestrian facilities that were developed without requisite land use approvals, approved business licenses, or proper building, electrical, and/or plumbing permits. These facilities have also operated without adequate waste disposal or drainage systems for proper water run-off. Recently, one of these horse boarding facilities caught fire resulting in the death of several horses and a goat. This particular facility had been the subject of ongoing multi-year code enforcement efforts by various County agencies for numerous code violations, including violations for unpermitted electrical wiring, unpermitted building structures, and the excessive buildup of manure. The residents within the CSD area have an established equestrian community and this community, as well as the area's public at large, should have

access to local horse boarding and equestrian facilities governed by appropriate regulations and development standards that are safe, clean, and code compliant. Allowing horse boarding and equestrian uses to develop further in the affected CSD area without the establishment of appropriate regulations and development standards may detract from the physical appearance, condition, and character of the area, and negatively impact the health, safety, and welfare of the area's horses, horse owners, and general public. Unless this interim ordinance is extended as provided for herein, an irreversible incompatibility of land uses, and possible loss of animal life, might reasonably occur as a result of the approval of additional variances, building permits, site plans, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional variances, building permits, site plans, or other applicable entitlements absent extension of the restrictions contained in Interim Ordinance No. 2012-0028U would result in the realization of this current and immediate threat. If this interim ordinance does not take effect on August 31, 2012, uses that may be in conflict with a permanent amendment to the zoning code for the affected CSD area that may be adopted as a result of the Regional Planning study may be established and continue prior to the adoption of any such amendment to the zoning code.

SECTION 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of Applicability.

This interim ordinance applies to parcels located within the area governed by the CSD, as set forth in section 22.44.130 of the County Code, which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west.

SECTION 7. Urgent Need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect on August 31, 2012, and it shall be of no further force and effect 10 months and 15 days following the date of its taking effect unless further extended in accordance with the provisions set forth in Government Code section 65858.

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